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Attorneys for Defendants
MOBILEFUNSTER, INC. and FUNMOBILE
GAMES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MELINDA AMEZCUA, individually and on
behalf of a class similarly situated individuals,

Plaintiff,

v.

CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS, a Delaware general partnership,
MOBILEFUNSTER, INC. D/B/A
FUNMOBILE, a Delaware corporation,
FUNMOBILE GAMES, INC., a Delaware
corporation,

Defendants.

Case No. 5:08-CV-4390-PVT

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

WHEREAS on September 18, 2008 defendants Mobilefunster, Inc. and Funmobile Games, Inc. ("Funmobile Defendants") filed a Notice of Removal with this Court;

WHEREAS on September 18, 2008 the Court issued an Order Setting Initial Case Management Conference and ADR Deadlines, which set the Initial Case Management Conference

1 for January 27, 2009 at 10:00 a.m., and related case management deadlines flowing from that date
 2 (Document No. 3);

3 WHEREAS Plaintiff filed a Motion to Remand, which will be opposed by the Funmobile
 4 Defendants, and is set for hearing on December 16, 2008 (Document No. 5);

5 WHEREAS the parties believe that the issues to be discussed at the Case Management
 6 Conference and the related case management deadlines may become moot if the Court grant's
 7 Plaintiff's Motion to Remand;

8 WHEREAS on October 27, 2008 Plaintiff, and defendant Cello Partnership, LLC d/b/a/
 9 Verizon Wireless ("Verizon Wireless") stipulated that the time for Verizon Wireless to plead or
 10 otherwise respond to the complaint would be extended to January 19, 2009 (Document No. 6); and

11 WHEREAS on October 29, 2008 Plaintiff and the Funmobile Defendants stipulated that the
 12 Funmobile Defendants shall have an extension of time to answer, move or otherwise plead in
 13 response to the First Amended Class Action Complaint until thirty (30) days after Plaintiffs' motion
 14 to remand is finally ruled upon (Document No. 10);

15 NOW, THEREFORE, based on the foregoing, the parties do hereby stipulate, by and through
 16 their counsel of record, to move the Case Management Conference from January 27, 2008 to March
 17 24, 2008 at 10:00 a.m., that all related case management deadlines be reset in accordance therewith,
 18 and respectfully request that the Court enter an order reflecting same.

19 Dated: November 7, 2008

DECHERT LLP

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 21 By: /s/ Sarah Wager

Sarah Wager
 Attorneys for Defendants
 MOBILEFUNSTER, INC. and FUNMOBILE
 GAMES, INC.

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1
2 Dated: November 7, 2008

PARISI & HAVENS, LLP

3
4 By: /s/ David C. Parisi
David C. Parisi
Attorneys for Plaintiff MELINDA AMEZCUA,
5 Individually and on behalf of a class of similarly
6 situated individuals

7 Dated: November 7, 2008

MORRISON & FOERSTER LLP

8
9 By: /s/ Geoffrey Graber
Dan Marmalefsky
Penelope A. Prevolos
10 Geoffrey Graber
Attorneys for Defendant CELLCO PARTNERSHIP
11 LLP d/b/a VERIZON WIRELESS

12
13 GENERAL ORDER 45 ATTESTATION

14 I, Sarah Wager, am the ECF user whose ID and password are being used to file this
15 Stipulation to Continue Case Management Conference. In compliance with General Order 45, I
16 hereby attest that David Parisi of Parisi & Havens and Geoffrey Graber of Morrison & Foerster have
17 concurred in this filing.

18
19 Dated: November 7, 2008

DECHERT LLP

20
21 By: /s/ Sarah Wager
Sarah Wager
Attorneys for Defendants
22 MOBILEFUNSTER, INC. and FUNMOBILE
23 GAMES, INC.

24 IT IS SO ORDERED

25 Dated: 11/10/08

26
27 
28 UNITED STATES ~~DISTRICT COURT~~ JUDGE
MAGISTRATE